



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.04.2022

CORAM :

THE HONOURABLE MRS.JUSTICE S.ANANTHI

C.R.P. (MD)No.786 of 2022

and

C.M.P. (MD)No.3178 of 2022

1.M.Sathik
2.M.Sher Abdullah
3.M.Thariq

...Petitioners/Petitioners-1, 2 & 4/
Defendants-1, 2 & 4

Vs.

1.M.Gnanmanoharan ...Respondent No.1/Respondent/Plaintiff
2.M.Fisal ...Respondent No.2/3rd Petitioner/3rd Defendant

PRAYER: Civil Revision Petition under Article 227 of the Constitution of India, to allow the Civil Revision Petition and set aside the fair and decreetal order dated 29.11.2021 made in I.A.No.2 of 2021 in O.S.No.706 of 2020 on the file of the learned Additional Subordinate Judge, Dindigul and allow the said application with Costs.

For Petitioner :Mr.M.Ajmalkhan, Senior Advocate,
for M/s.Ajmal Associates

ORDER

This Civil Revision Petition has been filed to set aside the order, dated 29.11.2021 in I.A.No.2 of 2021 in O.S.No.706 of 2020 passed by the learned Additional Subordinate Judge, Dindigul.

2.The parties are referred to as per the rank mentioned before the Court below.

3.The revision petitioners have filed a petition in I.A.No.2 of 2021 under Order 7 Rule 11 of Civil Procedure Code for rejection of plaint. Since the relief sought for regarding the documents in the year 1992 and 1990, 1997 and 1982 the suit is barred by limitation.

4. Heard on the side of the petitioner and perused the material documents available on record.

5.But, the trial Court has dismissed the said petition in I.A.No.2 of 2021 on the ground that the cause of action arose only in the year 2020.



6.Now, the learned counsel appearing for the revision petitioner submitted that the suit in O.S.No.706 of 2020 was posted for trial on 22.04.2022. He further submitted that time frame may be fixed for disposal of the said suit.

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7.Though, this Civil Revision Petition has been filed to set aside the order, dated 29.11.2021 in I.A.No.2 of 2021 in O.S.No.706 of 2020 passed by the learned Additional Subordinate Judge, Dindigul, now, considering the prayer sought for by the revision petitioner, this Court directs the learned Additional Subordinate Judge, Dindigul, to dispose the suit in O.S.No.706 of 2020, within a period of four months, from the date of receipt of a copy of the order.

8.With these observations, this Civil Revision Petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Admn-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To
The Additional Subordinate Court,
Dindigul.

Copy To

The Registrar (Judicial)
Madurai Bench of Madras High Court,
Madurai.

+1 CCToM/s.AJMAL ASSOCIATES, Advocate(SR-18173[F] dated 12/04/2022)

**Order made in
C.R.P. (MD) No.786 of 2022
11.04.2022**

PKP/06.06.2022/2P/4C